

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ROBERT K. HUDNALL,

Plaintiff,

v.

STATE OF TEXAS, et al.,

Defendants.

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CAUSE NO. EP-22-CV-36-KC-RFC

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day, the Court considered the above-captioned case. On February 1, 2022, Plaintiff filed a Request for Remand and Request for Hearing (“Motion”), ECF No. 4. On March 1, 2022, the Court referred this case to U.S. Magistrate Judge Robert F. Castañeda for all pre-trial matters pursuant to 28 U.S.C. § 636(b). ECF No. 19. On March 21, 2022, the Magistrate Judge filed a Report and Recommendation, concluding that Plaintiff’s Motion should be denied, ECF No. 36, and Plaintiff was served with a copy of the Report and Recommendation by certified mail, ECF No. 38. Plaintiff filed no objections to the recommendations of the Magistrate Judge within fourteen days of service, or at any time thereafter.

When parties do not file written objections, courts apply a “clearly erroneous, abuse of discretion and contrary to law” standard of review to a Report and Recommendation. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (“[T]he ‘clearly erroneous, abuse of discretion and contrary to law’ standard of review . . . is appropriate . . . where there has been no objection to the magistrate’s ruling.”); *Rodriguez v. Bowen*, 857 F.2d 275, 276–77 (5th Cir. 1988) (“[A] party is not entitled to de novo review of a magistrate’s finding and

recommendations if objections are not raised in writing by the aggrieved party . . . after being served with a copy of the magistrate's report.”). After reviewing the Report and Recommendation, the Court agrees with the Magistrate Judge's findings, conclusions, and recommendations and finds that they are neither clearly erroneous nor contrary to law. *See Wilson*, 864 F.2d at 1221.

Accordingly, the Court **ADOPTS** the Report and Recommendation, ECF No. 36, in its entirety, and Plaintiff's Motion, ECF No. 4, is **DENIED**.

SO ORDERED.

SIGNED this 2nd day of May, 2022.



KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE